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***Attorneys for Specially Appearing Defendant
Thomson S.A.***

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

No. 07-cv-5944-SC
MDL No. 1917

This Document Relates to:

*Sharp Electronics Corp., et al. v.
Hitachi, Ltd., et al., No. 13-cv-01173.*

**THOMSON S.A.'S NOTICE OF
INABILITY TO ATTEND STATUS
CONFERENCE**

1 Defendant Thomson S.A. files this Notice of Inability to Attend in connection with the
2 status conference scheduled for September 13, 2013.

3 On July 2, 2013, the Court entered an Order Setting Status Conference [Dkt. No. 1758]
4 requiring “[a]ll principle parties and lawyers . . . to appear” for a hearing on September 13, 2013 to
5 discuss “the progress of the case and the prospects for its efficient resolution.” (Order at 1.) The
6 Court ordered that attendance is mandatory, but provided: “If a party believes it has a valid excuse
7 for not being present and represented at the hearing, it should file a notice explaining the reasons for
8 its absence, no later than one week before the hearing date.” (*Id.* at 2.)

9 Outside counsel for specially appearing Defendant Thomson S.A., Kathy Osborn of Faegre
10 Baker Daniels LLP, will attend the conference to represent Thomson S.A.. Thomson S.A. requests,
11 however, that it be excused from attending and that the Court allow its counsel, Ms. Osborn, to
12 attend on its behalf. Thomson S.A. is a French holding company with its principal place of
13 business located in Issy-Les-Moulineaux, France, and it does not have any presence (such as
14 operations, employees, or offices) in the United States. Because it lacks minimum contacts with
15 the United States, it has filed a Motion to Dismiss for Lack of Personal Jurisdiction [Dkt. No. 1765]
16 the claims alleged against it in this action, which Motion is now pending before the Court.

17 Thomson S.A. therefore respectfully requests that the Court excuse Thomson S.A. from
18 attending the conference and permit its counsel, Ms. Osborn of Faegre Baker Daniels LLP, to
19 represent it at the conference.¹

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24 ¹ At the conference, Ms. Osborn will also appear on behalf of and represent Defendant Thomson
25 Consumer, Inc. (“Thomson Consumer”), a U.S.-based wholly-owned subsidiary of Thomson S.A.
26 A client representative of Thomson Consumer will also attend the conference. Because Faegre
27 Baker Daniels LLP has replaced Sullivan & Cromwell LLP as Thomson Consumer’s counsel in
28 this action, the issues raised in Sullivan & Cromwell LLP’s July 9, 2013 letter regarding the
inability of attorneys from that law firm to attend the conference are now moot and may be
disregarded. (See July 9, 2013 letter from R. Sacks, attached as **Ex. 1**.)

Dated: September 5, 2013

Respectfully submitted,

/s/ Kathy L. Osborn

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